

### **Remarks**

The Applicant again thanks the Office for the careful consideration given the present application in the Detailed Action mailed 12/27/2007 and for discussing the case in the interview of 3/20/2008. With the foregoing amendments and the ensuing remarks, the Applicant has endeavored to respond most properly to each of the points raised by the Office to ensure that the specification and claims now presented are allowable in all respects. With this in mind, the Applicant respectfully requests that the Office review and allow the current specification and claims.

In summary, claims 2-7, 9, 10, 12-16, 18, 20-23, 26, 28-31, 33-38, 40, and 69-73 are pending for consideration. Claims 10, 15, 18, 20, 23, 26, 40, and 73 stand independently. Claims 2-7, 9, 10, 12-16, 18, 20-23, 40, and 69-73 have been allowed.

### **Claim Rejections Under 35 U.S.C. § 103**

Claims 26 and 38 were rejected as obvious in light of U.S. Patent No. 6,343,264 to Fenton et al. when combined with U.S. Patent No. 5,687,737 to Branham et al. and U.S. Patent No. 4,737,921 to Goldwesser. Claim 31 was rejected as unpatentable over Fenton et al., Branham et al., Goldwesser et al., and United States Patent No. 6,268,860 to Bonello. During the interview between counsel for the Applicant and the examiner and in the examiner's summary of that interview, the examiner indicated that placing the specific light sources set forth in dependent claim 28 into independent claim 26, but with the transitional phrase "comprising" rather than "consisting" would overcome the present rejections.

As the Applicant noted previously, in U.S. Patent No. 6,343,264 to Fenton et al., the

listed “lighting options” discussed at col. 7, lines 35-38, are actually in the “color room 22”. Fenton does not teach or suggest a “means for providing a display of simulated light sources *on the display device*” as claim 26 requires and certainly does not disclose “controlling a *type* of light source to be simulated on the display device”.

Further, the disclosure in U.S. Patent No. 5,687,737 to Branham et al. that “direct and ambient virtual light sources can be defined” (col. 7, lines 34-35) does not disclose the means for controlling a type of light source as claim 26 requires. Direct and ambient light cannot be of different types (i.e., fluorescent, incandescent, etc.); they are not types of light at all. Ambient light is merely available light of without regard to type, and direct light is merely “lighting in which the greater part of the light goes directly from the source to the area lit” (Merriam-Webster’s Online Dictionary”), again without regard to type.

Still further, U.S. Patent No. 4,737,921 to Goldwesser merely describes “simulated light sources” and never contemplates different *types* of simulated light sources as claim 26 demands.

Finally, in U.S. Patent Application Publication No. 2003/0057884 of Dowling et al., the “light systems” listed in Para. [0038] are actual lights *in the room* surrounding the computer screen and the user. Refer, for example, to para. [0038], “the *environment* of a user of a computer game includes one or more light systems.” Figure 1 shows the many “lighting fixtures (105)” spaced around the room. Para. [0044] also makes clear that the disclosed lighting system is formed by real lights in a real world room: “In embodiments of the invention, the lighting system may be used to illuminate a real world environment.” What Dowling seems to be trying to do is effectively extend the entertainment offered by a computer screen by surrounding the screen and the user with actual lights operating under the control of the computer, as Dowling

claims, much like speakers are employed in a surround sound arrangement. Para. [0065] merely describes one method of telling the computer where the actual lights are in the actual room (see, e.g., “the developer can create a configuration file that matches the fixtures with true placement relative to a user’s coordinate in the real room.”) Lighting in the program is never disclosed as being of different types.

While continuing in his positions summarized above, the Applicant has herewith amended independent claim 26 based on the examiner’s concurrence that the incorporation of the types of light set forth in dependent claim 28 but with the transitional phrase “comprising” would define over the cited art. In particular, the Applicant has added “comprising incandescent light, fluorescent light, and natural sunlight” after “different types of light sources” in claim 26. It should be noted that the Applicant has not included “full spectrum light” among the listed types of light since it is believed that the listed types sufficiently differentiate the claimed invention from even the Office’s interpretation of the prior art. The Applicant respectfully submits that amended claim 26 is in condition for allowance. The Applicant further submits that each claim depending from claim 26 is allowable in that it depends from an allowable base claim and because it adds further patentable limitation thereto.

It will also be noted that each independent claim has been amended based on the Office’s concerns with respect to the final two subparagraphs. In particular, the Applicant has amended “identically displayed” to read “accurately displayed” to prevent or eliminate any issues as to the clarity of the claims. Furthermore, each independent claim has been amended to state affirmatively that “the system provides a prediction of the appearance of an interior or exterior ...” in place of the previous indication that “a user can predict ...”. With these amendments, it is

believed that the claims are clear and accurate in all respects.

### **Conclusion**

Because no cited reference identically discloses the claimed invention and because there is no suggestion in the art to modify or combine any of the prior art references to approximate the claimed invention, the Applicant most respectfully submits that the claims now presented are patentable over the cited art. With this in mind, the Office's reconsideration and allowance of the specification and remaining claims 2-7, 9, 10, 12-16, 18, 20-23, 26, 28-31, 33-38, 40, and 69-73 are respectfully requested.

The Applicant believes that all issues raised in the Detailed Action have been responded to fully. However, if, after consideration of the above amendments and comments, there remain any open issues in this application that possibly can be resolved by a telephone interview, then the Applicant's undersigned attorney most respectfully requests that he be called to discuss and attempt to resolve those issues.

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Respectfully submitted,

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April 28, 2008  
Date